



# Brighton Council

**MINUTES OF THE ORDINARY COUNCIL MEETING  
OF THE BRIGHTON COUNCIL HELD  
IN THE COUNCIL CHAMBER, COUNCIL OFFICES  
GAGEBROOK AT 5.30 P.M. ON TUESDAY,  
19<sup>th</sup> APRIL 2011**

**PRESENT:** Cr Taylor (Acting Mayor); Cr Curran; Cr Garlick; Cr Gray;  
Cr Jeffries; Cr Owen and Cr Williams.

**IN ATTENDANCE:** Mr R Sanderson (General Manager); Mr G Davoren  
(Deputy General Manager); Mr H Macpherson (Municipal  
Engineer) and Mrs J Banks (Manager Governance &  
Human Services).

## **1. CONFIRMATION OF MINUTES:**

1.1 CONFIRMATION OF MINUTES OF THE ORDINARY COUNCIL MEETING  
OF 15<sup>th</sup> MARCH 2011.

*Cr Gray moved, Cr Williams seconded that the Minutes of the Ordinary Council Meeting  
of the 15<sup>th</sup> March 2011, be confirmed.*

**CARRIED**

### VOTING RECORD

<b>In favour</b>	<b>Against</b>
Cr Curran	
Cr Garlick	
Cr Gray	
Cr Jeffries	
Cr Owen	
Cr Taylor	
Cr Williams	

1.2 CONFIRMATION OF MINUTES OF THE WASTE MANAGEMENT  
COMMITTEE MEETING OF 12<sup>TH</sup> APRIL 2011.

*Cr Owen moved, Cr Gray seconded that the Minutes of the Waste Management Committee Meeting of the 12<sup>th</sup> April 2011, be confirmed.*

**CARRIED**

**VOTING RECORD**

<b>In favour</b>	<b>Against</b>
Cr Curran	
Cr Garlick	
Cr Gray	
Cr Jeffries	
Cr Owen	
Cr Taylor	
Cr Williams	

1.3 CONFIRMATION OF MINUTES OF THE FINANCE COMMITTEE MEETING OF 12<sup>TH</sup> APRIL 2011.

*Cr Garlick moved, Cr Williams seconded that the Minutes of the Finance Committee Meeting of the 12<sup>th</sup> April 2011, be confirmed.*

**CARRIED**

**VOTING RECORD**

<b>In favour</b>	<b>Against</b>
Cr Curran	
Cr Garlick	
Cr Gray	
Cr Jeffries	
Cr Owen	
Cr Taylor	
Cr Williams	

1.4 CONFIRMATION OF MINUTES OF THE PLANNING COMMITTEE MEETING OF 12<sup>TH</sup> APRIL 2011.

*Cr Gray moved, Cr Curran seconded that the Minutes of the Planning Committee Meeting of the 12<sup>th</sup> April 2011, be confirmed.*

**CARRIED**

**VOTING RECORD**

<b>In favour</b>	<b>Against</b>
Cr Curran	
Cr Garlick	
Cr Gray	
Cr Jeffries	
Cr Owen	
Cr Taylor	

Cr Williams

## 2. APPLICATIONS FOR LEAVE OF ABSENCE:

Cr Foster (Mayor) and Cr Geard had requested leave of absence. Both were overseas.

*Cr Jeffries moved, Cr Garlick seconded that Cr Foster and Cr Geard be granted leave of absence.*

**CARRIED**

### VOTING RECORD

In favour	Against
Cr Curran	
Cr Garlick	
Cr Gray	
Cr Jeffries	
Cr Owen	
Cr Taylor	
Cr Williams	

## 3. PUBLIC QUESTION TIME AND DEPUTATIONS:

*There was no requirement for question time.*

## 4. DECLARATION OF INTEREST:

In accordance with Part 5, Section 48 of the *Local Government Act 1993*, the Chairman of a meeting is to request Councillors to indicate whether they have, or are likely to have an interest in any item on the agenda; and

Part 2 Regulation 8 (7) of the *Local Government (Meeting Procedures) Regulations 2005*, the Chairman of a meeting is to request Councillors to indicate whether they have, or are likely to have, a pecuniary interest in any item on the agenda.

Accordingly, Councillors are requested to advise of any interest they may have in respect to any matter appearing on the agenda, or any supplementary item to the agenda, which the Council has resolved to deal with, in accordance with Part 2 Regulation 8 (6) of the *Local Government (Meeting Procedures) Regulations 2005*.

*Cr Owen declared an interest in Item 4.1 of the Planning Committee minutes of 12<sup>th</sup> April 2011.*

## 5. REPORTS FROM COUNCILLORS:

### 5.1 ACTING MAYOR'S COMMUNICATIONS:

FILE REFERENCE: 0205-6

AUTHOR: Acting Mayor  
(Cr G Taylor)

The Acting Mayor reported directly to the meeting.

#### RECOMMENDATION:

That the Acting Mayor's communications be received.

#### DECISION:

*Cr Jeffries moved, Cr Curran seconded that the report be received.*

**CARRIED**

#### VOTING RECORD

In favour	Against
Cr Curran	
Cr Garlick	
Cr Gray	
Cr Jeffries	
Cr Owen	
Cr Taylor	
Cr Williams	

### 5.2 REPORTS FROM COUNCIL REPRESENTATIVES WITH OTHER ORGANISATIONS:

FILE REFERENCE: 0205-6

Southern Waste Strategy Board Joint Authority – Cr Geard representative.

Bridgewater Library + On-line Access Centre Advisory Committee – Cr Garlick representative.

*There were no reports from Council representatives.*

### **5.3 CORRESPONDENCE FROM SOUTHERN TASMANIAN COUNCILS ASSOCIATION (STCA) AND JOINT AUTHORITIES:**

Correspondence and reports from the STCA and Joint Authorities e.g. Southern Waste Authority are received periodically by Council. If any Councillor wishes to view documents received contact should either be made with the Manager Governance and Human Services or General Manager.

### **6. NOTIFICATION OF COUNCIL WORKSHOPS:**

In accordance with the requirements of the Local Government (Meeting Procedures) Regulations 2005, it was reported that no workshops were held since the last Council Meeting.

(This includes workshop, seminar or meeting, other than a meeting that is conducted by or on behalf of the council for the councillors.)

### **7. NOTICE OF MOTION:**

*There were no notices of motion.*

### **8. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA:**

In accordance with the requirements of Part 2 Regulation 8(6) of the Local Government (Meeting Procedures) Regulations 2005, the Council, by absolute majority may approve the consideration of a matter not appearing on the agenda, where the General Manager has reported:

- (a) the reason it was not possible to include the matter on the agenda, and
- (b) that the matter is urgent, and
- (c) that advice has been provided under Section 65 of the *Local Government Act 1993*.

### **RECOMMENDATION:**

That the Council resolve by absolute majority to deal with any supplementary items not appearing on the agenda, as reported by the General Manager in accordance with the provisions of the Local Government (Meeting Procedures) Regulations 2005.

### **DECISION:**

*There were no supplementary items.*

**9. REPORTS FROM COMMITTEES:**

**9.1 WASTE MANAGEMENT COMMITTEE MEETING – 12/4/11:**

The recommendations of the Waste Management Committee Meeting of 12<sup>th</sup> April 2011 are submitted to Council for adoption.

*Cr Gray moved, Cr Curran seconded that the recommendations be adopted.*

**CARRIED**

**VOTING RECORD**

<b>In favour</b>	<b>Against</b>
Cr Curran	
Cr Garlick	
Cr Gray	
Cr Jeffries	
Cr Owen	
Cr Taylor	
Cr Williams	

**9.2 FINANCE COMMITTEE MEETING – 12/4/11:**

The recommendations of the Finance Committee Meeting of 12<sup>th</sup> April 2011 are submitted to Council for adoption.

*Cr Gray moved, Cr Garlick seconded that the recommendations be adopted.*

**CARRIED**

**VOTING RECORD**

<b>In favour</b>	<b>Against</b>
Cr Curran	
Cr Garlick	
Cr Gray	
Cr Jeffries	
Cr Owen	
Cr Taylor	
Cr Williams	

**9.3 PLANNING COMMITTEE MEETING – 12/4/11:**

The recommendations of the Planning Committee Meeting of 12<sup>th</sup> April 2011 are submitted to Council for adoption.

*Cr Owen left the meeting.*

*Cr Gray moved, Cr Jeffries seconded that Item 4.1 be adopted.*

**CARRIED**

**VOTING RECORD**

<b>In favour</b>	<b>Against</b>
Cr Curran	
Cr Garlick	
Cr Gray	
Cr Jeffries	
Cr Taylor	
Cr Williams	

*Cr Owen returned to the meeting.*

Item 4.2 was discussed in relation to the matters currently before RMPAT i.e. Euston Place and Killarney Road, Bridgewater developments.

*Cr Gray moved, Cr Garlick seconded that the Senior Planner seek mediation in the first instance and seeks ratification from Council on the outcome of the mediation*

**CARRIED**

**VOTING RECORD**

<b>In favour</b>	<b>Against</b>
Cr Curran	
Cr Garlick	
Cr Gray	
Cr Jeffries	
Cr Owen	
Cr Taylor	
Cr Williams	

**10. COUNCIL ACTING AS PLANNING AUTHORITY:**

In accordance with the provisions of Part 2 Regulation 25 of the Local Government (Meeting Procedures) Regulations 2005, the intention of the Council to act as a planning authority pursuant to the *Land Use Planning and Approvals Act 1993* is to be noted. In accordance with Regulation 25, the Council will act as a planning authority in respect to those matters appearing under Item 10. on this agenda, inclusive of any supplementary items.

*There were no Planning reports to be submitted to the Ordinary Council Meeting.*

## **11. REPORTS FROM OFFICERS:**

### **11.1 ALBION ROAD WALKWAY, BRIDGEWATER:**

**FILE REFERENCE:** Bromle/43

**AUTHOR:** Municipal Engineer  
(Mr H Macpherson)

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#### **Background:**

The walkway located between 17 and 19 Albion road was permanently closed in September 1996 and divided between these two properties with a lease in place.

Council has been approached by the owner of 43 Bromley Street who backs onto a part of this walkway. He is experiencing issues with drug users who walk up this walkway then realising they cannot go through to Albion Road, backtrack and inject at his fenceline and discard the needles in his bushes.

He would like to be able to erect a fence and lease this land from Council to stop this issue occurring.

#### **Consultation:**

The tenants at 17 Albion Road Bridgewater, Executive Officer (Corporate Services) and Deputy General Manager.

#### **Risk Implications:**

Nil

#### **Financial Implications:**

Nil

#### **Other Issues:**

Nil

#### **Assessment:**

Having assessed the site the only people who receive a benefit from this walkway are the tenants at 45 Bromley Street and 17 Albion Road, Bridgewater. Their argument is that it is a safe route for their children to walk to school without walking on the road. There is an alternative route that the children could take down Bromley Street and onto the walkway further down that adds 250m to the walk.

The owner of 43 Bromley Street is prepared to put up the fence at his own cost. He is currently picking up needles and making phone calls to the community centre to move these drug users on.



**Options:**

1. As per the recommendation.
2. To not allow the lease of this walkway.

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**RECOMMENDATION:**

That Council allows the owner of 43 Bromley Street, Bridgewater to erect his fence and puts in place a peppercorn lease for this land. Council should also look into altering the fenceline to close this walkway in the future, subject to community consultation.

**DECISION:**

*Cr Owen moved, Cr Curran seconded that the recommendation be adopted.*

**CARRIED**

**VOTING RECORD**

<b>In favour</b>	<b>Against</b>
Cr Curran	
Cr Garlick	
Cr Gray	
Cr Jeffries	
Cr Owen	
Cr Taylor	
Cr Williams	

**11.2 DOG REGISTRATION & KENNEL LICENCE FEES 2011-2012:**

**FILE REFERENCE:** 0248-2

**AUTHOR:** Manager Governance & Human Services  
(Mrs J Banks)

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**Background:**

Under Brighton's Dog Management Policy 2007, Council is required to adopt dog registration and kennel licence fees annually.

In 2010-11, it was proposed to bring fees gradually into line with the true cost involved with maintaining animal control services as well as inflation increases.

Therefore, an increase in dog registration and kennel licence fees should also apply for this upcoming financial year.

**Consultation:**

Deputy General Manager, Executive Assistant (Corporate Services); Manager Governance & Human Services and the Animal Control Officer.

**Risk Implications:**

None foreseen.

**Financial Implications:**

As provided.

**Assessment:**

A comparison between the current (2010-2011) and proposed dog registration and kennel licence fees for the 2011-2012 financial years are as follows:-

	<b>CURRENT 2010-2011</b>	<b>PROPOSED 2011-2012</b>
	Paid by July 31	Paid by July 31
Domestic Dog (desexed)	\$12.00	<b>\$15.00</b>
Domestic Dog (not desexed)	\$62.00	<b>\$65.00</b>
Working Dog	\$32.00	<b>\$35.00</b>
TGRB registered Greyhound	\$32.00	<b>\$35.00</b>
Pure Bred Dog kept for breeding	\$32.00	<b>\$35.00</b>
Dangerous Dog (declared under the Act)	\$122.00	<b>\$125.00</b>
Assist Dog	Nil	<b>Nil</b>

The following concession rates can apply to **ONE** dog only per owner and a Pensioner Concession Card or Health Care Card must be sighted at the time of payment.

	<b>CURRENT 2010-2011</b>	<b>PROPOSED 2011-2012</b>
	Paid by July 31	Paid by July 31
<b>Concession Rates</b>		
Domestic Dog (desexed)	\$12.00	<b>\$15.00</b>
Domestic Dog (not desexed)	\$27.00	<b>\$30.00</b>

All dog registrations must be undertaken before 31<sup>st</sup> July 2011 or a late fee of \$10.00 plus registration fee will apply.

Renewal of kennel licences and other related dog/ animal fees are as follows:-

Kennel Licences & Fees	CURRENT 2010-2011	PROPOSED 2011-2012
3 - 5 Dogs	\$55.00	<b>\$60.00</b>
> 5 Dogs	\$75.00	<b>\$80.00</b>
Renewal	\$40.00	<b>\$50.00</b>
Dog Complaint Fee	\$60.00	<b>\$70.00</b>
Dog Collar - Dangerous Dog	\$35.00	<b>\$35.00</b>
Replacement Tags	\$3.00 each	<b>\$3.00 each</b>
Animal Agistment Fee	\$15.00 per day	<b>\$15.00 per day</b>
Anti-barking collars	\$50.00 hire (refundable) & \$30.00 per fortnight	<b>\$50.00 hire (refundable) &amp; \$30.00 per fortnight</b>
<i>Reclaim Fees from the Dogs Home</i>		
First Impoundment	\$20.00 per dog	<b>\$25.00 per dog</b>
Second Impoundment	\$30.00 per dog	<b>\$35.00 per dog</b>
Third Impoundment	\$50.00 per dog	<b>\$55.00 per dog</b>

The below fee will offset the call-out charge for Animal Control Officer/s to attend stock being reported at large via the police or Council. This charge will be payable by the owner of the stock.

	CURRENT 2010-2011	PROPOSED 2011-2012
Farm Animals not confined to the owner's property ( <i>Brighton Council Environmental Health By-law No.1 of 2004, Section 38</i> )	Up to \$300	<b>Up to \$350</b>

**Other Issues:**

N/A

**Options:**

1. As per the recommendation.
  2. That Council not adopt the Animal Control fees for the 2011-2012 financial year.
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**RECOMMENDATION:**

That Council adopts the proposed Animal Control Fees for the 2011-2012 financial year as listed in the report.

**DECISION:**

*Cr Gray moved, Cr Garlick seconded that the recommendation be adopted.*

**CARRIED**

**VOTING RECORD**

<b>In favour</b>	<b>Against</b>
Cr Curran	
Cr Garlick	
Cr Gray	
Cr Jeffries	
Cr Owen	
Cr Taylor	
Cr Williams	

**11.3 PREMIER'S PHYSICAL ACTIVITY COUNCIL – LOCAL GOVERNMENT SUB-COMMITTEE – REQUEST FOR NOMINATIONS:**

**FILE REFERENCE:** 0068-56

**AUTHOR:** Manager Governance & Human Services  
(Mrs J Banks)

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**Background:**

The Premier's Physical Activity Council (PPAC) provides a co-ordinated approach to the promotion and provision of opportunities for physical activity in Tasmania, and has recently led the development of *Tasmania's plan for physical activity 2011-2021*.

The Local Government Sub-Committee was established in 2004 as part of PPAC's strategy to strengthen its relationship with local government and focus on local government matters crucial to the achievement of PPAC's goals and a more physically active Tasmania.

The LGAT, on behalf of the PPAC are seeking a nomination/s from either elected representatives or council officers from Council to join this Committee.

**Consultation:**

General Manager, Manager Governance & Human Services

**Risk Implications:**

Nil

**Financial Implications:**

Nil.

**Other Issues:**

The Sub- Committee meet biannually in Ross and also co-ordinate biannual forums at a variety of venues around the state. The forums showcase health and wellbeing initiatives within Tasmanian local government to assist and inspire others to work towards more healthy and active communities. These forums have been running since 2008.

**Assessment:**

PPAC are seeking nominations from interested person with high level knowledge or experience of physical activity and the structures required to support physical activity in the local setting. The focus is in relation to physical activity such as walking, cycling and activity in settings such as the workplace and home rather than traditional sport. An understanding of mechanisms to promote participation and develop local physical activity initiatives will be advantageous.

Nominations close on the 29<sup>th</sup> April, 2011.

**Options:**

1. As per the recommendation.
  2. That Council not nominate a representative for the Premier’s Physical Activity Council Local Government Sub-Committee.
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**RECOMMENDATION:**

Submitted for discussion. If any elected representative is interested in being nominated please contact the Manager Governance & Human Services (Janine Banks) prior to 27<sup>th</sup> April 2011, to complete a Statement in Support of Nomination to be forwarded to the LGAT by 29<sup>th</sup> April 2011.

**DECISION:**

*Cr Jeffries moved, Cr Curran seconded that Cr Owen be nominated to the Sub-Committee.*

**CARRIED**

**VOTING RECORD**

<b>In favour</b>	<b>Against</b>
Cr Curran	
Cr Garlick	
Cr Gray	
Cr Jeffries	
Cr Owen	
Cr Taylor	
Cr Williams	

**12. QUESTION ON NOTICE:**

*There were no questions on notice.*

Meeting closed: 6.10 pm

Confirmed:

\_\_\_\_\_  
(Mayor)

Date:

\_\_\_\_\_  
17<sup>th</sup> May 2011